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ABSTRACT

The interest of the Constitutional Rights Foundation in legal and citizenship education helped to instigate a comprehensive, nation-wide study of law-related educational projects for public school-age children. An overview and analysis, introductory remarks, and statistical summary are presented, along with a list of projects of special merit. Introductory remarks comment on the basic items of the questionnaire used to collect the data and discuss some of the problems within the survey format and its statistical analysis. The overview and analysis justify the survey on the basis of the current state of law and citizenship education as well as prevailing attitudes toward law and lawyers. Noted from the results of the survey are the following conclusions: that few programs make any attempt to involve students as participants in the legal or political process; that state departments of education are very inactive in this field; that most of the outstanding projects stress instructional techniques that encourage thought; and that few projects receive federal money through Title III or the United States Office of Education or from the large national foundations. Actions spurred by the survey are recounted, including new efforts to disseminate information about these projects to social studies educators on a nation-wide scale. (Author/KSM)

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SURVEY AND ANALYSIS OF SCHOOL RELATED LAW AND CITIZENSHIP EDUCATIONAL PROGRAMS IN AMERICA

By Vivian Monroe
Constitutional Rights Foundation

With assistance of:

Todd Clark
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Staffs of:
American Bar Association
Association of American
Law Schools

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OVERVIEW AND ANALYSIS

by

Vivian Monroe & Todd Clark

Since the Fall of 1971 when the Constitutional Rights Foundation started this survey of law and citizenship education projects, much has happened to emphasize the tremendous need for work in this field.* One hundred forty projects were identified by the survey cut-off date, June, 1972. In the beginning, we had no idea that so many projects were active in this field. We expected to find thirty-five to fifty and were amazed to discover so many more. Given the large and growing number of active programs, there are several other developments that have occurred which must be considered as we look at the future of this growing field.

Perhaps most important is that we have now gone through the first election year in which 18 year olds were eligible to vote. Their sorry showing at the polls underscores dramatically the need for dynamic new programs in legal and citizenship education. Schools should be places to participate and which can make participation in the political and legal process appear worthwhile.

The growing commitment of the American Bar Association, through its Special Committee on Youth Education for Citizenship, to an expanding role in youth education is another encouraging development. The outstanding ABA staff of lawyers and educators, is

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*We acknowledge the assistance of the Ford Foundation for its financial support. Views expressed herein are those of the authors.

helping to encourage organized bar commitment throughout the U.S. The Special Committee is also serving a highly valued function of providing a communications link between the more than 200 projects in this field.

The Association of American Law Schools has also demonstrated its growing concern for non-professional youth education by the establishment of a special committee. It is anticipated that the Association will make a substantial contribution by encouraging program development and participation throughout the United States by its nearly 200 law school members.

On the negative side, the domestic political scene has been little more than a succession of events which illustrate the misuse of public trust and lack of faith and support for the institutions of our government by public servants from the lowest to the highest levels. The American political system has never before in our history given us so little reason for pride. While many of our current problems may be self-correcting and while revelations of misdeeds may demonstrate that the system works, what can we do to restore faith and encourage participation by American young people? Why should we expect them to respect and support the work of their local police when stories of police corruption and malpractice abound? Why, for that matter, would we expect them to have faith in any of the institutions of American government? The only real heroes of the moment are such men as Senators Sam Ervin and Lowell P. Weicker of the Special Watergate Committee, some members of the American press and Ralph Nadar and his "raiders". To further compound the problem of

developing respect for law on the part of American young people, most of the prominent public figures currently in trouble are lawyers. While it is also true that the investigatory heroes are also lawyers, the basic impact of charges against members of the bar influences still more negatively the attitudes of young people toward law and our legal political institutions.

The present state of affairs is even more unfortunate since the work of every institution in our society is carried forward by millions of men and women who are not corrupt and who do live up to their public trust. As Bob Woodward, Pulitzer Prize winning reporter for the Washington Post in the Watergate investigation has said "There's honesty everywhere in government. People in the White House are just as disturbed about this (The Watergate) as everyone else. In fact, some people who are close to the President have tried to help us."

Based on our analysis of the survey in sections 2 and 3 of this report, we believe there are many educational projects in various parts of the United States which demonstrate that it is possible to teach youth that the system responds fairly and honestly to the needs of its citizens. Many of these projects also illustrate that there is a place in the system for the participation of young people. Located in California, St. Louis, Dallas, Chicago, Cincinnati, Pennsylvania, New Jersey, Minnesota and other parts of the country, these programs on law and government emphasize cooperative involvement of adults from the community, justice agency personnel and government officials at all levels with students and teachers. It is even more encouraging to note that in some programs, student community action and participation

augment formal classroom instruction on law and government.

Based on the survey and subsequent data, we can now identify more than 200 projects in at least 36 states designed to improve the understanding of our legal and political institutions by American youth. These programs have developed out of a number of concerns:

> The lack of knowledge and/or faith in the Bill of Rights and the Constitution on the part of young people.
>
> Student unrest in the late 1960s and their dissatisfaction with the quality of education.
>
> Lack of respect for the police and growth of crime among youth.
>
> The ratification of the 26th Amendment giving youth the right to vote at age 18.

Unfortunately, until recently there was no source of information on most projects initiated in this field. It was possible, only in the most general terms, to draw haphazard conclusions about what was happening in legal and citizenship education. As one of the oldest groups in the nation working in this area, our organization has long felt the need for comprehensive information on what was happening in other parts of the country. We have long encouraged the American Bar Association and major national foundations to support the growth of law projects. However, with so little information on the size and number of projects, their scope and sequence, and their funding sources, it was difficult to estimate with precision what was happening and what was needed. So that information could be gathered, the CRF sought and received $22,000 from the Ford Foundation to conduct this national survey on School-Related Law and Citizenship Projects. Working cooperatively with the newly formed American Bar Association's

Special Committee on Youth Education for Citizenship and the American Association of Law Schools, a survey instrument was prepared and distributed in the Spring of 1972.

Most of the projects discovered by the survey are notable efforts of bar associations or school related organizations in the major urban centers of the United States to improve youth attitudes and understanding regarding the American political and legal system. Many of the projects operate on minimal outside funding (95 of 140 on less than $15,000 per year). However, we were surprised to find a substantial number (23) which indicated annual funding of $100,000 or more.

In the following survey are detailed descriptions of the projects with a separate section describing a number of efforts we believe are of special merit (sections 2-4).

Perhaps our greatest disappointment in reviewing the results of the survey was the discovery that only a few programs make any attempt to involve students as participants in the legal or political process either in school or in the community. It is our conviction that student participation is a vital factor in providing young people with a feeling of personal effectiveness toward governmental institutions. It is our fear that projects which do not involve students may have no more long range influence over youth participation in public affairs than have previous classroom based efforts at educational change. It was encouraging to find, however, that a large number of programs do use lawyers in some capacity (97). However, an important and relatively untapped resource is the use of law students in projects. The two hundred law schools in the United States could do much to make

this valuable resource available in the areas in which they are located.

As we contacted a variety of agencies and organizations for information we were disappointed to discover that most state departments of education knew little about and were doing even less in this field. There were two notable exceptions to this conclusion. The State Department of Education of Pennsylvania has initiated efforts to encourage program development and identified a number of important projects for us. The State Department of Education in New Jersey was funding, through ESEA Title III, one of the finest student involvement projects in the nation and had developed a special department of youth affairs which is very active throughout the State.

Over the past few years materials and teaching methods used in social studies classrooms have improved remarkably. We were pleased to find that most of the outstanding projects stress instructional techniques that encourage thought rather than regurgitation of information. As a result of this approach, we believe students become more sophisticated in evaluating the vast quantity of data regarding the social, economic and political issues of our nation and world. However, in our view it is unfortunate that even with the best classroom instruction most students still may not be exposed to realities of government in their own communities. Their classrooms are almost totally cut off from the political system in their own area. Without experience or exposure to the institutions around them, we believe it is difficult, if not impossible, for students to become effective citizens. Their school experiences simply do not prepare them to know and understand their

local institutions. It is also true that most teachers have had little first hand experience with their government and cannot provide accurate information about how the system functions. In our judgement, as a means of encouraging youth participation, more programs such as those described below should be created to provide students and their teachers with an opportunity to work directly with representatives of government both in the classroom and the community.

We discovered only a few projects which actively involve students in their communities. We hoped to discover more, but the limited funding available to us made it difficult to conduct on-site visits to more than a few of the projects which appeared to have innovative designs. The two illustrations below are examples of the kinds of activities that can be successfully carried out.

In New Jersey last year, as a part of a much more ambitious Title III funded program of political education and participation for high school age young people, students from 19 high schools converged on the state legislature in Trenton to lobby for a bill affecting the right of the young to run for public office. These students believed in what they were doing and did it well because they had been provided with training in lobbying techniques by professional lobbyists who worked with them in their schools.

In St. Paul, Minnesota, public high school students from the New City School learned to use portable video-tape equipment and then worked with a parents' group producing a video-tape on the need for a public swimming pool in one area of the city. The tape made it possible for the community group to present its position more graphically to the city council and the school board.

Projects organized along more traditional lines have been generously funded in several sections of the United States by state, regional and national instrumentalities of the Law Enforcement Assistance Administration. They prepare curriculum materials for students and/or to train teachers in classroom techniques and legal substance. Outstanding projects in this category are located in Santa Monica and Los Angeles, California; Chicago, Illinois; Dallas, Texas and Norman, Oklahoma as well as in other parts of the United States. Each of these projects place emphasis on the use of justice agency and bar association personnel as teacher and student resources and each has developed other individual activities which give strong support to the need for community-school cooperation.

While the largest number of the major funded projects are supported by grants from the Law Enforcement Assistance Administration, only a few receive federal money through Title III of the Elementary and Secondary Education Act or from the U.S. Office of Education. A notable absence of major funding from many of the large national foundations is also apparent. While the Danforth and Ford Foundation have long had interest in this field and have jointly funded our new national project*, few other programs are receiving grants from foundations. A notable exception is the Inidanapolis Bar teacher training program. This project which uses law students in a very imaginative way has been receiving grants from the Eli Lilly Foundation.

In view of the small numbers of foundation grants and limited state and federal funding, it is strongly recommended that major foundations and all appropriate governmental agencies give higher

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*Law, Education And Participation (LEAP) National Consulting Service of the Constitutional Rights Foundation - See page 20

priority status to the urgent need for funding programs in the field of school related law and citizenship education.

We might also point out that we are concerned that many projects may have no lasting impact since they depend on large grants for their income. We believe that it is important for funded projects to have as one of their major goals the institutionalization of their work. School districts can and should make a commitment to include effective courses on law and citizenship education in the curriculum on a permanent basis.

We believe that the benefits of the survey have already been substantial. The initial data collected formed the basis for the Directory of Law Related Educational Projects published and distributed by the Special Committee on Youth Education for Citizenship of the American Bar Association.* Contact with programs has also been useful in building a communications network between projects. Many of the major projects are now working together in a cooperative fashion. New program models and ideas have already influenced many projects to modify and/or expand existing efforts. To illustrate this important growth of cooperative activity, we assisted the ABA Special Committee to organize a two day conference held as a part of the National Council for the Social Studies annual meeting in San Francisco which involved over 100 staff members from 30 projects. This conference, the first of its kind, successfully disseminated information and ideas broadly to top social studies educators not yet widely acquainted with the developments taking place in this field throughout the United States.

Finally, perhaps Pennsylvania Secretary of Education, John C. Pittenger, captured better than anyone in a recent speech the essence of why so many concerned lawyers and educators are

*Copies are available from the American Bar Association, 1155 East 60th Street, Chicago, Illinois 60637

devoting their energy to this field.

> "To say that law should be woven into the texture of education at every point is one thing. To do it is another....I don't think that the methods which local bar associations have conventionally used -- Law Day, essays on "Why I Am An American" or "Our Most Precious Freedom" -- are very helpful. We don't teach law students by means of solemn exhortation. We teach them by rubbing their noses in the dirt of reality. I think, with modifications, that's how we ought to teach other people about the law."

November 1973

INTRODUCTORY REMARKS

Long interested in legal and citizenship education, the Constitutional Rights Foundation decided in 1971 to make a comprehensive, nation wide study of law-related educational projects for public school-age children. Forms requesting vital information, project purposes, and names of other persons or organizations able to provide further leads were consequently distributed.* Recipients of this first form included not only projects about which the CRF knew, but all law schools and state attorneys general in the country, police and sheriff's departments, some local and all state bar associations, their young lawyers' sections, lawyers' wives organizations, state departments of education, the U.S Office of Education, private foundations and endowments, as well as scholarly and educational associations, including:

American Association of School Administrators

American Council of Education

The American Government Information Unit

American Legion Boys and Girls State Program

American Political Science Association

Citizenship Education Clearinghouse

Curriculum Alternatives for Secondary Schools

Education Commission of the States

League of Women Voters

National Council for the Social Studies

National Education Institute

National Institute for Mental Health

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*See Appendix #3 for an example of this questionnaire

Social Science Education Consortium

Y.M.C.A.

Response from these questionnaires enabled CRF staff to select relevant programs whose directors received the survey* and upon which this analysis is based.

By our cutoff date, June 10, 1972, 145 organizations had responded and it is primarily these which are analyzed below. Several other projects which returned information after the above deadline and, where judged significant, are included in Sections II or III.

Although the current survey has a number of shortcomings which will be discussed below, it can nevertheless provide us with much valuable material on the type and general thrust of legal and citizenship education projects throughout the nation. To wit:

1. Organization names, addresses, telephone numbers, and names of executive personnel.
2. Project purposes, objectives and origins.
3. Numbers and types of topics stressed.
4. The nature of the project literature used in the classroom, teacher training, and curriculum development, if any, and where obtainable.
5. Methods and materials employed in the actual teaching situations.
6. Whether the project publishes regular information, and where it may be obtained.
7. The number and type of paid and un paid participants and their functions.
8. Whether formal evaluative efforts are being made, in what manner, and by whom.

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*See Appendix #4 for an example of this survey

9. If project activities are linked to academic research.
10. Sponsorship information.
11. Funding information, both by whom and approximately how much.
12. Project management structure.

On the negative side, this survey does not provide enough information on the intensity of contact between project personnel and students, whether subjects are presented to large bodies such as assemblies or in actual classrooms, and whether programs extend over the entire school year or just one hour a day. Only inferences can be made on these questions in most cases. Furthermore, the amount of actual student participation, or input, is difficult to determine. Only one question, #13, deals with this crucial issue in any depth.

These problems may in part be traced to the format of the survey itself. Questions were often phrased imprecisely, leading to large numbers of vague answers at best or none at all at the worst. The use of numerous questions requiring essay-type answers made responses extremely difficult to categorize precisely and to process statistically. And finally, a lack of adequate response on many questions make a sophisticated statistical analysis next to meaningless, if not impossible. This last problem could have been avoided had interviewers been sent into the field and covered every question, but this would have clearly gone above both the resources and the intention of the Constitutional Rights Foundation, which intended to use the survey mainly to gather enough data to determine which projects to recommend as models for whomever is interested in creating or improving a law-related program for public school-age pupils.

On the whole, then, the survey can give us adequate information on the broader trends which legal/citizenship projects throughout the nation are following and suggest a number of models worth emulating or studying.

At least one very interesting follow-up to a study of these projects would be a survey aimed at students who have particpated in law and citizenship-related programs. Their reactions and suggestions would not only provide information on whether or not these projects are successful in what they attempt to teach, but could also make more valuable suggestions on how to alter or improve them to make them more meaningful for the pupil.

In addition to Vivian Monroe and Todd Clark of the Constitutional Rights Foundation and Norman Gross of the ABA Special Committee, Youth Education for Citizenship, who have all been immensely helpful in both securing and analyzing project information, I would like to especially thank Ms. Marilyn Martin for her invaluable efforts in preparing program summaries, and Ms. Shelley Cox for her conscientious assistance in assembling this report into a meaningful whole.

H. Dietmar Starke

August 1973

STATISTICAL SUMMARY

1. Geographical Factors

Even the most casual glance at the foregoing statistics will show that responses were geographically very unbalanced, with more returns coming from California (23) than any other state. Pennsylvania is a very distant second with 12. On a regional basis, the Midwest ranks first in returns (47), followed by the East and Northeast (42), West (26), and Southwest (16), while the South (2), Southeast (5), and Northwest (6), are practically unrepresented. The obvious conclusion here that the vast majority of projects are operating in the regions which responded most heavily, may be true to a certain extent. On the other hand, one must keep in mind that the CRF and the ABA Special Committee, Youth Education for Citizenship, the joint sponsors of the questionnaire, probably have more and better contacts in the Midwest, where the ABA is located, the East, and the West, the home of the CRF, than in the South, Southeast, or Northwest. Another factor, no doubt, is a certain amount of regional idiosyncracy, such as Southern distrust of the North and East. A further consideration which may explain such a lopsided response is that crime and dropout rates, and inside and outside pressures on schools in the densely populated, highly industrialized East, Northeast, Midwest and Far West, create a more immediate need for law-related education and citizenship projects than in the economically more backward and less populated areas of the country. Finally, large concerned, vociferous and clashing liberal and conservative elements could also contribute to a proliferation of legal/citizenship education programs in more populated areas.

These arguments seem to be borne out at least to some extent by examining the relative community size in which most projects are located. While only 8 deal specifically with inner city residents, 78, a majority, are located in an inner city, urban, suburban, or a combination of these environments, with 59 alone in a strictly urban setting. No respondants are located in rural areas and only 2 serve small urban and rural communities.

2. Objectives

With regard to purposes and objectives, a clear majority (98) of programs are involved in direct legal/citizenship teaching and specific objectives focus on an understanding of the political-legal system and citizen rights and responsibilities (96) and a better attitude toward the political-legal system (90), with fewer (78), yet still a majority, specifically stressing the value of proper (legal) behavior. A much smaller group (22) is developing teaching methods, training teachers, or engaged in education or curriculum reform. Thirteen organizations are specifically oriented toward teaching educators legal principles so that they in turn will be able to impart these to their pupils. Few projects (10) concentrate on crime prevention and bringing the alienated back into the system, while only six solely stress the inculcation of a better attitude toward law enforcement. A highly significant two deal mainly with student and youth rights. This tiny number is doubly surprising since legal and citizenship education is of necessity the study of laws which in turn define rights and responsibilities. Many projects, though this is often hidden in the language used, tend to stress responsibilities much more than rights, especially in the immediate school and community situation; witness the 78 programs which emphasize proper (a mostly undefined term) conduct.

3. Target Group Age and Numbers

Consistent with the great majority's purpose of direct legal education, the primary audience for 97 projects is students and another 16 deal with both pupils and teachers, while only 15 have a strictly teacher audience.

Examining the grade level of target groups, the greatest single concentration (58) is on high school students. Combining the high and junior high school figures, we have 87 programs. Twenty five focus on kindergarten or grade through high school groups, while only 7 deal solely with grade schoolers and none with kindergarten alone. The majority of projects, therefore, seem to feel that legal-citizenship education is most appropriate for pupils in the higher grade levels. Twenty seven programs, most of them concentrating on junior and senior high school students, specifically state that their audience is most able to understand any concepts they try to teach.

While the variable Audience Reason was on the whole difficult to evaluate due to inadequate or unclear response, more projects (61) chose their audience because program staff felt a need than for any other reason, with the above mentioned 27 (most receptive and best able to understand) next and only 16 because the school system or a college felt a need. A tiny minority (3) were instituted mainly because interest was expressed by students or teachers.

The question relating to the number of schools with which a program is directly involved produced only 49 usable results. Of these, 15 projects, less than one-third, worked with 1-5 schools. Only when one examines audience numbers can a more meaningful understanding of the actual size of target groups be reached and here the range varies greatly. 43 programs involved twenty teachers

or less, twenty eight programs 21-100, and a relatively large group, twenty six, more than 100. Similarly, student audiences ranged from thirty seven with 500 or less and 23 with 501-2000 to forty six for more than 2000 pupils. Most projects listed only teachers and students as audiences. However, 11 included educators and/or administrators and six, lawyers or law students, police and community resource people were mentioned by 5.

4. Subjects Taught, Materials Used

More projects (114) named "Rights and Responsibilities of Citizens" as subjects taught and/or stressed than any other. Those subjects also ranking high were: "Legal Procedures and Administration of Justice" (105), "Constitution and Bill of Rights" (90), and "Government Institutions and Agencies at the Local Level" (87). "Family Law" (8), "Torts" (7), and "Selective Service" (7) were the lowest classifiable subjects.

Out of a total of 145, 103 programs either have or are developing some sort of literature or other educational materials. Of these, 83 stress materials for use by teachers, while 79 focus on students. Many of the above projects are developing literature for both. 54 programs, a majority, are devising materials for teacher use at the junior and/or senior high school level, and 51 for student use directly, again for the same grade bracket. Grade schoolers receive the least attention with 6 (teacher use) and 8 (student use) respectively. These figures closely parallel those for target group age levels above. A significant number of pojects have undertaken the monumental task of developing materials for grades 1-12, 17 for teacher use and 12 for students. Again, a majority of these latter programs are preparing literature for both categories of users. Whether this literature is presently available

or not is practically impossible to determine from the surveys, as some were filled out more than one year ago. Some "No" answers to this question clearly should be changed to "Yes" at this time. Working strictly from the survey, about two-thirds (56 - teacher and 48 - student) had materials available when the questionnaire was filled out.

LIST OF PROJECTS OF SPECIAL MERIT

CONTACT LIST

National Programs of Special Interest

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National Assessment of Education Progress
Citizenship - Educational Commission of the States
Wendell H. Pierce, Executive Director
300 Lincoln Tower
1860 Lincoln Street
Denver, Colorado 80203 (303) 893-5200

Special Committee on Youth Education
for Citizenship
American Bar Association
Joel Henning, Staff Director
1155 East 60th Street
Chicago, Illinois 60637 (312) 493-0533

Student Participation Projects

Center for the Study of Student Citizenship,
Rights and Responsibilities
Maddi Breslin, Project Coordinator
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Constitutional Rights Foundation
Richard Weintraub, Associate Education Director
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Focus on Inner City Social Studies
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Junior Statesmen Foundation/California
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Multi-District Institute of Political and
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New City School
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Lower Merion School District
Project 18: Young Voter Education
Dr. John R. Madden, Project Director
Ardmore, Pennsylvania 19003 (215) 896-7854

Project Inquiry
Wisconsin Bar Foundation
Christopher J. Wilcox, State Co-Chairman
402 West Wilson Street
Madison, Wisconsin 53703 (608) 257-3838

Rhode Island Legal Services
Frederick G. Cass, Staff Attorney
56 Pine Street
Providence, Rhode Island 02907 (401) 274-2652

Student-Community Involvement Project
Don Conrad, Project Coordinator
301 Walter Library
University of Minnesota
Minneapolis, Minnesota 55455 (612) 376-7624

Teenagers' Rights and Responsibilities
Institute for Behavioral Research
Mary D. Cohen, Research Associate
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Teens and Law: Government Laboratory
Anthony L. Bruno, Teacher
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Materials Development and Teacher In-Service Training

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Leadership Training Through Law in American Society
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Men Under Law
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Social Science Education Consortium, Inc.
Irving Morrissett, Director
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Boulder, Colorado 80302 (303) 443-8155

Teenage Legal Awareness Program
William T. MacPherson, Director of Clinical Education
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<u>Kindergarten Through Eighth Grade Projects</u>

Children and the Law
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Minneapolis, Minnesota 55402 (612) 333-1346

School Crime Prevention Program
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Sacramento, California 95822 (916) 445-5184